

AMENDMENT UNDER 37 C.F.R. § 1.111

U.S. Application No. 10/046,147

Q67100

REMARKS

Claim 1 has been amended to recite that the liquid crystal compound in step (a) is a polymerizable liquid crystal compound. Support for this amendment can be found, for example, on page 5, lines 6-11.

At paragraph 4 of the Office Action dated December 18, 2003, Claims 1-4 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,549,261 to Okada et al (“Okada”) in view of U.S. Patent No. 5,771,084 to Fujimori et al (“Fujimori”).

Okada is directed to a liquid crystal reflective display. The Examiner concedes that Okada does not teach forming partition walls at portions corresponding to a boundary of each of the pixels. Fujimori is relied upon as teaching the presence of partition walls in a liquid crystal layer.

The present invention relates to a method for producing a cholesteric liquid crystal color filter that constantly reflects light having a wavelength within a specific wavelength region. The present invention employs a polymerizable liquid crystal compound that facilitates the fixing of the helical structure of the cholesteric liquid crystals. This fixed helical structure allows for the wavelength of reflected light to be maintained.

Applicants respectfully submit that neither Okada nor Fujimori teach or suggest the use of a polymerizable liquid crystal compound.

Applicants further submit that one of ordinary skill in the art would not have been motivated to modify the liquid crystal display of Okada to include a polymerizable liquid crystal compound.

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If a proposed modification renders the prior art invention unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).

Unlike the present invention, Okada and Fujimori relate to liquid crystal displays. In liquid crystal displays, the orientations of movable crystal molecules are manipulated with electric voltage in order to control light. If polymerizable liquid crystals are used in a liquid crystal display, the necessary control of light is not maintained because the polymerizable liquid crystals are not movable. Thus, incorporating polymerizable liquid crystals for the liquid crystal molecules in the display of Okada would render it unsatisfactory for its intended purpose.

Therefore, there is no motivation to make such a modification.

Accordingly, Applicants respectfully request that the obviousness rejection of claims 1-4 be reconsidered and withdrawn.

At paragraph 5 of the Office Action, Claims 5-9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,573,961 to Jiang et al (“Jiang ‘961”) in view of JP 362106407 (“JP ‘407”) as applied to Claims 1-4 above and further in view of U.S. Patent No. 6,344,300 to Baba et al (“Baba”).

As an initial matter, it appears that Jiang ‘961 and JP ‘407 are not meant to be part of the rejection. Neither reference has been cited in an IDS or a Notice of References Cited. Applicants submit that these references do not pertain to this particular rejection or the application as a whole.

It appears that the Examiner meant to reject Claims 5-9 over Okada and Fujimori, as applied to Claims 1-4, and further in view of Baba, and therefore, we have addressed these references in our response.

Applicants submit that the combination of Okada, Fujimori and Baba does not render claims 5-9 obvious for the reasons that the combination of Okada and Fujimori do not render claims 1-4 obvious discussed above. Accordingly, Applicants respectfully request that the obviousness rejection of claims 5-9 be reconsidered and withdrawn.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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